

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Francisco Romero

Confirmation No.:

Application No.:

Examiner:

Filing Date: 07/10/2003

Group Art Unit:

Title: SYSTEMS AND METHODS FOR MONITORING RESOURCE UTILIZATION AND APPLICATION PERFORMANCE

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:

- ☒ under 37 CFR 1.97(b), or  
(Within three months of filing national application; or date of entry of national application; or before mailing date of first office action on the merits; whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:  
☐ Statement under 37 CFR 1.97(e), or  
☐ a \$180.00 fee under 37 CFR 1.17(p), or  
(After the CFR 1.97 (b) time period, but before final action or notice of allowance, whichever occurs first)
- ☐ under 37 CFR 1.97 (d) together with a:  
☐ Statement under 37 CFR 1.97(e)(1) or (2), and  
☐ a \$180.00 fee set forth in 37 CFR 1.17(p).  
(Filed after final action, a notice of allowance, on or before payment of the issue fee)

Please charge to Deposit Account **08-2025** the sum of \$0.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **08-2025** pursuant to 37 CFR 1.25.

☒ Applicant(s) submit herewith Form PTO 1449 - Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

☐ A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56 (c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

"Express Mail" label no. EV 175421340 US

Date of Deposit 07/10/2003

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

By

Typed Name: Melissa A. Haapala

Respectfully submitted,

Francisco Romero

By

Melissa A. Haapala

Attorney/Agent for Applicant(s)

Reg. No. 47,622

Date: 07/10/2003

<b>FORM PTO-1449</b>  <b>LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)	ATTY. DOCKET NO.	APPLICATION NO.	CONFIRMATION NO.
	200207858-1		
	APPLICANT		
	Francisco R mero		
	FILING DATE	GROUP	
	07/10/2003		

## REFERENCE DESIGNATION

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLICATION DATE	NAME	Pages, Columns, Lines Where Relevant Passages or Figures Appear
	1A	2002/0129127	09/12/2002	Romero et al.	
	1B	2002/0016812	02/07/2002	Uchishiba et al.	
	1C	2002/0069279	06/06/2002	Romero et al.	
	1D				
	1E				
	1F				
	1G				
	1H				
	1I				
	1J				
	1K				

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	PUBLICATION DATE	NAME OF PATENTEE OR APPLICANT	Pages/Columns/Lines Where Relevant Passages/Figures Appear	Check if Translation attached
	1L					
	1M					
	1N					
	1O					
	1P					

## OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

1Q	Sun Microsystems, Inc., White Paper, "Transforming the Economics of Computing", Optimizing IT Infrastructure Utilization, 2003, Chapters 1-5, pages 1-10
1R	Sun Microsystems, Inc., White Paper, "N1 - Introducing Just in Time Computing", An Executive Brief, 2002, 9 pages
1S	Sun Microsystems, Inc., N1 Technology Brief, "Th I-Fabric Architecture", A core component of Sun's Terraspring software, 2002, 2 pages

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## OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

2Q	IBM Think Research papers: 1) eWLM: Distributed Computing (2 pages); 2) eWLM: Managing Complexity (2 pages); 3) eWLM: Allocating for Efficiency (2 pages); 4) The Great Balancing Act (2 pages); and 5) eWLM: Autonomic Computing (3 pages); 2002, eWLM: Enterprise Workload Management
2R	IBM Presentation: "Workload Management for e-Business: eWLM, Mike Smith, 4/1/2003, 27 pages
2S	Francisco Romero, Patent Application (49 pages of specification, claims and abstract, and 4 sheets of drawings), "Dynamic Adaptive Server Provisioning for Blade Architectures", Atty. Docket No. 100110160-1

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	3P					

## OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

3Q	"Apparatus and Method to Automatically Activate a Reserve Resource", U.S. Patent Application Serial Number 09/709,705 (22 pages of specification, claims and abstract, and 5 sheets of drawings), filed 11/09/2000, Atty. Docket No. 10002676-1
3R	Clifford A. McCarthy, et al., "Dynamic Management of Virtual Partition Computer Workloads through Service Level Optimization", U.S. Patent Application Serial Number 10/206,594 (27 pages of specification, claims and abstract, and 5 sheets of drawings), filed 7/26/2002, Atty. Docket No. 10010581-1
3S	Clifford A. McCarthy, et al., "Dynamic Management of Computer Workloads through Service Level Optimization", U.S. Patent Application Serial Number 09/493,753 (36 pages of specification, claims and abstract, and 7 sheets of drawings), filed 1/28/2000, Atty. Docket No. 10992091

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	4L					
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	4O					
	4P					

## OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)

4Q	Paul Henry Bouchier, et al., "Reconfiguration Support for a Multi Partition Computer System", U.S. Patent Application Serial No. 09/562,590 (37 pages of specification, claims and abstract, and 4 sheets of drawings), filed 04/29/2000, Atty. Docket No. 10001728-1
4R	
4S	

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